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August 20, 2021

Via CM/ECF

Hon. Leda Dunn Wettre, U.S.M.J.
United States District Court for the
District of New Jersey
Martin Luther King Building &
U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

**Re: Occidental Chemical Corp. v. 21st Century Fox Am. Inc., et al.
Civil Action No. 2:18-cv-11273**

Dear Judge Wettre:

Please accept this letter request on behalf of Third Party Defendant Passaic Valley Sewerage Commissioners ("PVSC") requesting an extension of the briefing schedule for the appeal before you by the Small Parties Group ("SPG") (ECF No. 1268) of the Final Decision Of Special Master Granting In Part And Denying In Part SPG's Motion To Compel Production Of Documents Withheld As Privileged Or Protected, dated June 29, 2021 ("Final Decision Appeal;" ECF No. 1251).

As background, PVSC appeared and filed its first responsive pleadings in the case on August 16, 2021. PVSC's first opportunity to participate in a status conference with the Special Master and other parties will be on August 25, 2021. Under Stipulations and Orders, several other recently added Third Party Defendants have not yet filed responses to Defendants' Third Party Complaint, and none of the Third Party Defendants (except PVSC) has responded yet to Plaintiff's Amended and Third Party Complaint. The current filing deadline for those responses is September 17, 2021 ("Response Deadline").

The expansion of an already large and complex case after three years to include over 40 government entities is a substantial change, requiring appropriate scheduling accommodations

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for the fair and orderly processing of the case going forward without hardship or prejudice to the newly added Third Party Defendants. In that connection, the Final Decision Appeal concerns documents previously produced in a now concluded New Jersey state court case regarding the contamination of the Passaic River, which are highly probative on Plaintiff's liability for the release of hazardous substances at issue in this case.

The disputes between the SPG and Plaintiff regarding these documents have been occurring for over a year. PVSC's position is that decision-making and determining the law of the case on evidentiary issues critical to all recently added Third Party Defendants should be paced, and extended to afford them an appropriate opportunity after they have appeared and responded to both Third Party Complaints to carefully review the issues in the Final Decision Appeal and to file additional briefing on the matter, if they so choose. Accordingly, PVSC respectfully requests that the Court reopen the briefing schedule on the Final Decision Appeal to allow the Third Party Defendants an opportunity to participate, and not render any ruling until after the end of the extended briefing period. In light of the current Response Deadline for the other Third Party Defendants, PVSC would request that all Third Party Defendants have to and including October 1, 2021 (two weeks after the Response Deadline) to file a brief regarding the Final Decision Appeal.

Thank you for Your Honor's consideration of this matter.

Respectfully yours,



Kirstin Bohn
For the Firm

KB/GG

c: Counsel of Record (via ECF)